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Figure 3, **species D** of Figure 4, **species E** of Figure 5, **species F** of Figure 6, and **species G** of Figure 7; as set forth on page 2 of the Office Action.

Regarding the species, Applicant respectfully requests the Examiner to reconsider the fact that the application contains claims directed to seven patentably distinct species in view of the following.

In fact, the applicant respectfully suggests that the application contains claims directed to only five (5) patentably distinct species, namely:

- **Species A** shown in Figure 1 and featuring a second party selection unit (predetermined codes) and a data input unit both using a display with cursor keys, a data processing unit and a data output unit (display), as claimed in claims 35-37, 39-46, 53-64, and 66-76;
- **Species B** shown in Figure 2 and featuring the features of above Species A further having a biometric (fingerprint) reader being the data input unit, as claimed in claims 35-37, 39-46, 50-51, and 55-76;
- **Species C** shown in Figure 3 and featuring the features of above Species A further having second party pre-identified keys for the second party selection unit, as claimed in claims 35-41, 43-46, 53-64, and 66-76;
- **Species D** shown in Figure 4 and featuring the features of above Species C wherein the cursor keys are replaced by a numerical key pad in the data input unit, as claimed in claims 35-41, 53-64, and 66-76; and
- **Species E** shown in Figure 5 and featuring a second party selection unit (predetermined verbal codes) and a data input unit both using a transducer (used as a microphone when talking key is being pressed down), the data input unit could also be a biometric (fingerprint or voice recognition) reader, a data processing unit and a data output unit using the transducer (used as a speaker when talking key is not being pressed down), as claimed in claims 35-37, 39, 47-52, and 55-76.

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And claims 35-37, 39, 55-64, and 66-76 are considered generic to the above all five species since the contain subject-matter applicable and common to all embodiments.

It is to be noted that Figures 6 and 7 are similar functional diagrams of species A, C and D, and species B and E, respectively (without and with a biometric reader as a data input unit, respectively).

Accordingly, the applicant, without traverse and without prejudice to its right to file divisional applications to non-elected subject matter, hereby elects the subject matter of the species A (as listed hereinabove and corresponding to species A of the Office Action) upon which claims 35-37, 39-46, 53-64, and 66-76 are readable.


In the event the Examiner considers the above as non-responsive to the election/restriction requirement 35 U.S.C. 121, the applicant respectfully requests the Examiner to place a telephone call with Mr. Franz Bonsang, the applicant's agent of record at telephone No. 514-739-6770.

Favorable consideration of the present application in light of the foregoing remarks is respectfully requested.

RESPECTFULLY SUBMITTED,

Michel CARON, Applicant

By:



Franz Bonsang, Reg. No. 56638

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